

050404  
06909 U.S. PTOUTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.: 30014200-1110

First Named Inventor: Michael Boucher

Title: METHOD AND SYSTEM FOR CODE  
OPTIMIZATION

Express Mail Label No. EV433241380US

Date of Deposit: May 4, 2004

19270 U.S. PTO  
10/840069

050404

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ This Form includes the Fee Transmittal (See Box 19)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. (See 37 CFR 1.27)
3. ☒ Specification [Total Pages 29]
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 3]
5. ☒ Declaration and Power of Attorney [Total Pages 2]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate

ADDRESS TO: MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

8. ☐ Nucleotide and/or Amino Acid Sequence Submission
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R in duplicate; or
- ii. ☐ paper
- c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s)) [Total  
Pages 2]
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
15. ☐ Certified copy of \_\_\_\_\_ Priority Document:  
Document No. \_\_\_\_\_, filed on \_\_\_\_\_.
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(I).  
Applicant must attach form PTO/SB/35 or its  
equivalent. [Total Pages 1]
17. ☐ Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no.: \_\_\_\_/\_\_\_\_  
Prior application information: Examiner Name: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. FEE CALCULATIONS:

| CLAIMS | (1) FOR               | (2) NUMBER FILED   | (3) NUMBER EXTRA | (4) RATE | (5) BASIC FEE<br>\$770.00 |
|--------|-----------------------|--|------------------|----------|---------------------------|
|        | TOTAL CLAIMS          | 16   | 0                | \$18.00  | \$____.00                 |
|        | INDEPENDENT<br>CLAIMS | 4  | 1                | \$86.00  | \$ <u>86</u> .00          |
|        |                       | ANY MULTIPLE<br>DEPENDENT CLAIMS? <input type="checkbox"/> YES <input type="checkbox"/> NO |                  | \$145.00 | \$____.00                 |
|        |                       |  |                  | SUBTOTAL | \$ <u>856</u> .00         |

- a. ☒ In connection with this application, the Commissioner is hereby authorized to credit overpayments or to charge any additional fee required to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.
- b. ☒ The enclosed credit card payment form to charge the amount of \$ 896.00 covers the total claim fee and recordation fee.

20. ☒ CUSTOMER NO. 26263

Dated: May 4, 2004

SIGNATURE: Christopher P. Rauch  
Christopher P. Rauch, (Reg. No. 45,034)

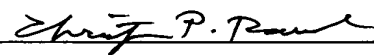
**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                      |   |
|----------------------|---|
| First Named Inventor | Michael Boucher                         |
| Title                | METHOD AND SYSTEM FOR CODE OPTIMIZATION |
| Atty Docket Number   | 30014200-1110                           |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 4, 2004

Date



Signature

Christopher P. Rauch

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.